



General Assembly

January Session, 2001

Raised Bill No. 284

LCO No. 2066

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT CONCERNING TITLES TO MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 14-1 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) Terms used in this chapter shall be construed as follows, unless
4 another construction is clearly apparent from the language or context
5 in which the term is used or unless the construction is inconsistent
6 with the manifest intention of the General Assembly:

7 (1) "Agricultural tractor" means a tractor or other form of
8 nonmuscular motive power used for transporting, hauling, plowing,
9 cultivating, planting, harvesting, reaping or other agricultural
10 purposes on any farm or other private property, or used for the
11 purpose of transporting, from one farm to another, agricultural
12 implements and farm products, provided the agricultural tractor is not
13 used on any highway for transporting a pay load or for some other
14 commercial purpose;

15 (2) "Antique, rare or special interest motor vehicle" means a motor

16 vehicle twenty-five years old or older which is being preserved
17 because of historic interest and which is not altered or modified from
18 the original manufacturer's specifications;

19 (3) "Apparent candle power" means an illumination equal to the
20 normal illumination in foot candles produced by any lamp or lamps,
21 divided by the square of the distance in feet between the lamp or
22 lamps and the point at which the measurement is made;

23 (4) "Authorized emergency vehicle" means (A) a fire department
24 vehicle, (B) a police vehicle or (C) a public service company or
25 municipal department ambulance or emergency vehicle designated or
26 authorized for use as an authorized emergency vehicle by the
27 commissioner;

28 (5) "Auxiliary driving lamp" means an additional lighting device on
29 a motor vehicle used primarily to supplement the general illumination
30 in front of a motor vehicle provided by the motor vehicle's head lamps;

31 (6) "Bulb" means a light source consisting of a glass bulb containing
32 a filament or substance capable of being electrically maintained at
33 incandescence;

34 (7) "Camp trailer" includes any trailer designed and used
35 exclusively for camping or recreational purposes;

36 (8) "Camper" means any motor vehicle designed or permanently
37 altered in such a way as to provide temporary living quarters for
38 travel, camping or recreational purposes;

39 (9) "Combination registration" means the type of registration issued
40 to a motor vehicle used for both private passenger and commercial
41 purposes if such vehicle does not have a gross vehicle weight in excess
42 of ten thousand pounds;

43 (10) "Commercial driver's license" or "CDL" means a license issued
44 to an individual in accordance with the provisions of sections 14-44a to

45 14-44m, inclusive, which authorizes such individual to drive a
46 commercial motor vehicle;

47 (11) "Commercial motor vehicle" means a vehicle designed or used
48 to transport passengers or property, except a vehicle used within one
49 hundred fifty miles of a farm in connection with the operation of such
50 farm, fire fighting apparatus or other authorized emergency vehicles,
51 or a recreational vehicle in private use, which (A) has a gross vehicle
52 weight rating of twenty-six thousand and one pounds or more; (B) is
53 designed to transport sixteen or more passengers, including the driver,
54 or is designed to transport more than ten passengers, including the
55 driver, and is used to transport students under the age of twenty-one
56 years to and from school; or (C) is transporting hazardous materials
57 and is required to be placarded in accordance with the Code of Federal
58 Regulations Title 49, Part 172, Subpart F, as amended;

59 (12) "Commercial registration" means the type of registration
60 required for any motor vehicle designed or used to transport
61 merchandise, freight or persons in connection with any business
62 enterprise, unless a more specific type of registration is authorized and
63 issued by the commissioner for such class of vehicle;

64 (13) "Commercial trailer" means a trailer used in the conduct of a
65 business to transport freight, materials or equipment whether or not
66 permanently affixed to the bed of the trailer;

67 (14) "Commissioner" includes the Commissioner of Motor Vehicles
68 and any assistant to the Commissioner of Motor Vehicles who is
69 designated and authorized by, and who is acting for, the
70 Commissioner of Motor Vehicles under a designation; except that the
71 Deputy Commissioners of Motor Vehicles and the Attorney General
72 are deemed, unless the Commissioner of Motor Vehicles otherwise
73 provides, to be designated and authorized by, and acting for, the
74 Commissioner of Motor Vehicles under a designation;

75 (15) "Controlled substance" has the same meaning as in section 21a-

76 240 and the federal laws and regulations incorporated in chapter 420b;

77 (16) "Conviction" means an unvacated adjudication of guilt, or a
78 determination that a person has violated or failed to comply with the
79 law in a court of original jurisdiction or an authorized administrative
80 tribunal, an unvacated forfeiture of bail or collateral deposited to
81 secure the person's appearance in court, the payment of a fine or court
82 cost, or violation of a condition of release without bail, regardless of
83 whether or not the penalty is rebated, suspended or probated;

84 (17) "Dealer" includes any person actively engaged in buying,
85 selling or exchanging motor vehicles or trailers who has an established
86 place of business in this state and who may, incidental to such
87 business, repair motor vehicles or trailers, or cause them to be repaired
88 by persons in his or her employ;

89 (18) "Disqualification" means a withdrawal of the privilege to drive
90 a commercial motor vehicle, which occurs as a result of (A) any
91 suspension or revocation by the commissioner of the privilege to
92 operate a motor vehicle; (B) a determination by the Federal Highway
93 Administration, under the rules of practice for motor carrier safety
94 contained in the Code of Federal Regulations Title 49, Part 386, as
95 amended, that a person is no longer qualified to operate a commercial
96 motor vehicle under the standards of the Code of Federal Regulations
97 Title 49, Part 391, as amended; or (C) the loss of qualification which
98 automatically follows any of the convictions specified in section 14-
99 44k;

100 (19) "Drive" means to drive, operate or be in physical control of a
101 motor vehicle, including a motor vehicle being towed by another;

102 (20) "Driver" means any person who drives, operates or is in
103 physical control of a commercial motor vehicle, or who is required to
104 hold a commercial driver's license;

105 (21) "Driver's license" or "operator's license" means a valid

106 Connecticut motor vehicle operator's license or a license issued by
107 another state or foreign jurisdiction authorizing the holder thereof to
108 operate a motor vehicle on the highways;

109 (22) "Employee" means any operator of a commercial motor vehicle,
110 including full-time, regularly employed drivers, casual, intermittent or
111 occasional drivers, drivers under contract and independent, owner-
112 operator contractors, who, while in the course of operating a
113 commercial motor vehicle, are either directly employed by, or are
114 under contract to, an employer;

115 (23) "Employer" means any person, including the United States, a
116 state or any political subdivision thereof, who owns or leases a
117 commercial motor vehicle, or assigns a person to drive a commercial
118 motor vehicle;

119 (24) "Farm implement" means a vehicle designed and adapted
120 exclusively for agricultural, horticultural or livestock-raising
121 operations and which is not operated on a highway for transporting a
122 pay load or for any other commercial purpose;

123 (25) "Felony" means any offense as defined in section 53a-25 and
124 includes any offense designated as a felony under federal law;

125 (26) "Foreign jurisdiction" means any jurisdiction other than a state
126 of the United States;

127 (27) "Fuels" means (A) all products commonly or commercially
128 known or sold as gasoline, including casinghead and absorption or
129 natural gasoline, regardless of their classification or uses, (B) any liquid
130 prepared, advertised, offered for sale or sold for use, or commonly and
131 commercially used, as a fuel in internal combustion engines, which,
132 when subjected to distillation in accordance with the standard method
133 of test for distillation of gasoline, naphtha, kerosene and similar
134 petroleum products by "American Society for Testing Materials
135 Method D-86", shows not less than ten per cent distilled (recovered)

136 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five
137 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);
138 provided the term "fuels" shall not include commercial solvents or
139 naphthas which distill, by "American Society for Testing Materials
140 Method D-86", not more than nine per cent at 176 Fahrenheit and
141 which have a distillation range of 150 Fahrenheit, or less, or liquefied
142 gases which would not exist as liquids at a temperature of 60
143 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,
144 and (C) any liquid commonly referred to as "gasohol" which is
145 prepared, advertised, offered for sale or sold for use, or commonly and
146 commercially used, as a fuel in internal combustion engines, consisting
147 of a blend of gasoline and a minimum of ten per cent by volume of
148 ethyl or methyl alcohol;

149 (28) "Garage" includes every place of business where motor vehicles
150 are, for compensation, received for housing, storage or repair;

151 (29) "Gross vehicle weight rating" or "GVWR" means the value
152 specified by the manufacturer as the maximum loaded weight of a
153 single or a combination (articulated) vehicle, or its registered gross
154 weight, whichever is greater. The GVWR of a combination (articulated)
155 vehicle commonly referred to as the "gross combination weight rating"
156 or GCWR is the GVWR of the power unit plus the GVWR of the towed
157 unit or units;

158 (30) "Gross weight" means the light weight of a vehicle plus the
159 weight of any load on the vehicle, provided, in the case of a tractor-
160 trailer unit, "gross weight" means the light weight of the tractor plus
161 the light weight of the trailer or semitrailer plus the weight of the load
162 on the vehicle;

163 (31) "Hazardous materials" has the same meaning as in Section 103
164 of the Hazardous Materials Transportation Act, Section 1801 et seq.,
165 Title 49, United States Code;

166 (32) "Head lamp" means a lighting device affixed to the front of a

167 motor vehicle projecting a high intensity beam which lights the road in
168 front of the vehicle so that it can proceed safely during the hours of
169 darkness;

170 (33) "High-mileage vehicle" means a motor vehicle having the
171 following characteristics: (A) Not less than three wheels in contact with
172 the ground; (B) a completely enclosed seat on which the driver sits; (C)
173 a single or two cylinder, gasoline or diesel engine or an electric-
174 powered engine; and (D) efficient fuel consumption;

175 (34) "Highway" includes any state or other public highway, road,
176 street, avenue, alley, driveway, parkway or place, under the control of
177 the state or any political subdivision of the state, dedicated,
178 appropriated or opened to public travel or other use;

179 (35) "Intersecting highway" includes any public highway which
180 joins another at an angle whether or not it crosses the other;

181 (36) "Light weight" means the weight of an unloaded motor vehicle
182 as ordinarily equipped and ready for use, exclusive of the weight of
183 the operator of the motor vehicle;

184 (37) "Limited access highway" means a state highway so designated
185 under the provisions of section 13b-27;

186 (38) "Local authorities" includes the board of aldermen, common
187 council, chief of police, warden and burgesses, board of selectmen or
188 other officials having authority for the enactment or enforcement of
189 traffic regulations within their respective towns, cities or boroughs;

190 (39) "Maintenance vehicle" means any vehicle in use by the state or
191 by any town, city, borough or district, any state bridge or parkway
192 authority or any public service company, as defined in section 16-1, in
193 the maintenance of public highways or bridges and facilities located
194 within the limits of public highways or bridges;

195 (40) "Manufacturer" means (A) a person, whether a resident or

196 nonresident, engaged in the business of constructing or assembling
197 motor vehicles of a type required to be registered under section 14-12,
198 who offers the motor vehicles for sale in this state or (B) a person who
199 distributes new motor vehicles to licensed new car dealers in this state;

200 (41) "Median divider" means an intervening space or physical
201 barrier or clearly indicated dividing section separating traffic lanes
202 provided for vehicles proceeding in opposite directions;

203 (42) "Minibike" or "minicycle" means any two or three wheel
204 motorcycle having one or more of the following characteristics: (A)
205 Ten inches (254 mm) or less nominal wheel rim diameter; (B) forty
206 inches or less wheel base; (C) twenty-five inches or less seat height
207 measured at the lowest point on the top of the seat cushion without
208 rider; (D) a propelling engine having a piston displacement of 50 c.c. or
209 less;

210 (43) "Modified antique motor vehicle" means a motor vehicle
211 twenty-five years old or older which has been modified for safe road
212 use, including but not limited to, modifications to the drive train,
213 suspension, braking system and safety or comfort apparatus;

214 (44) "Motor bus" includes any motor vehicle, except a taxicab, as
215 defined in section 13b-95, operated in whole or in part on any street or
216 highway in a manner affording a means of transportation by
217 indiscriminately receiving or discharging passengers, or running on a
218 regular route or over any portion of a regular route or between fixed
219 termini;

220 (45) "Motor home" means a vehicular unit designed to provide
221 living quarters and necessary amenities which are built into an integral
222 part of, or permanently attached to, a truck or van chassis;

223 (46) "Motorcycle" means a motor vehicle, with or without a side car,
224 having not more than three wheels in contact with the ground and a
225 saddle or seat on which the rider sits or a platform on which the rider

226 stands and includes bicycles having a motor attached, except bicycles
227 propelled by means of a helper motor as defined in section 14-286, but
228 does not include a vehicle having or designed to have a completely
229 enclosed driver's seat and a motor which is not in the enclosed area;

230 (47) "Motor vehicle" means any vehicle propelled or drawn by any
231 nonmuscular power, except aircraft, motor boats, road rollers, baggage
232 trucks used about railroad stations or other mass transit facilities,
233 electric battery-operated wheel chairs when operated by physically
234 handicapped persons at speeds not exceeding fifteen miles per hour,
235 golf carts operated on highways solely for the purpose of crossing
236 from one part of the golf course to another, golf cart type vehicles
237 operated on roads or highways on the grounds of state institutions by
238 state employees, agricultural tractors, farm implements, such vehicles
239 as run only on rails or tracks, self-propelled snow plows, snow blowers
240 and lawn mowers, when used for the purposes for which they were
241 designed and operated at speeds not exceeding four miles per hour,
242 whether or not the operator rides on or walks behind such equipment,
243 bicycles with helper motors as defined in section 14-286, special mobile
244 equipment as defined in subsection (i) of section 14-165 and any other
245 vehicle not suitable for operation on a highway;

246 (48) "New motor vehicle" means a motor vehicle, the equitable or
247 legal title to which has never been transferred by a manufacturer,
248 distributor or dealer to an ultimate consumer;

249 (49) "Nonresident" means any person whose legal residence is in a
250 state other than Connecticut or in a foreign country;

251 (50) "Nonresident commercial driver's license" or "nonresident CDL"
252 means a commercial driver's license issued by a state to an individual
253 who resides in a foreign jurisdiction;

254 (51) "Nonskid device" means any device applied to the tires, wheels,
255 axles or frame of a motor vehicle for the purpose of increasing the
256 traction of the motor vehicle;

257 (52) "Number plate" means any sign or marker furnished by the
258 commissioner on which is displayed the registration number assigned
259 to a motor vehicle by the commissioner;

260 (53) "Officer" includes any constable, state marshal, inspector of
261 motor vehicles, state policeman or other official authorized to make
262 arrests or to serve process, provided the officer is in uniform or
263 displays [his] the officer's badge of office in a conspicuous place when
264 making an arrest;

265 (54) "Operator" means any person who operates a motor vehicle or
266 who steers or directs the course of a motor vehicle being towed by
267 another motor vehicle and includes a driver as defined in subdivision
268 (20) of this section;

269 (55) "Out-of-service order" means a temporary prohibition against
270 driving a commercial motor vehicle or any other vehicle subject to the
271 federal motor carrier safety regulations enforced by the commissioner
272 pursuant to [his] the commissioner's authority under section 14-8;

273 (56) "Owner" means any person holding title to a motor vehicle, or
274 having the legal right to register the same, including purchasers under
275 conditional bills of sale;

276 (57) "Parked vehicle" means a motor vehicle in a stationary position
277 within the limits of a public highway;

278 (58) "Passenger and commercial motor vehicle" means a motor
279 vehicle used for private passenger and commercial purposes which is
280 eligible for combination registration;

281 (59) "Passenger motor vehicle" means a motor vehicle used for the
282 private transportation of persons and their personal belongings,
283 designed to carry occupants in comfort and safety, with not less than
284 fifty per cent of the total area enclosed by the outermost body contour
285 lines, excluding the area enclosing the engine, as seen in a plan view,
286 utilized for designated seating positions and necessary legroom with a

287 capacity of carrying not more than ten passengers including the
288 operator thereof;

289 (60) "Passenger registration" means the type of registration issued to
290 a passenger motor vehicle unless a more specific type of registration is
291 authorized and issued by the commissioner for such class of vehicle;

292 (61) "Person" includes any individual, corporation, limited liability
293 company, association, copartnership, company, firm, business trust or
294 other aggregation of individuals but does not include the state or any
295 political subdivision thereof, unless the context clearly states or
296 requires;

297 (62) "Pneumatic tires" means tires inflated or inflatable with air;

298 (63) "Pole trailer" means a trailer which is (A) intended for
299 transporting long or irregularly shaped loads such as poles, logs, pipes
300 or structural members, which loads are capable of sustaining
301 themselves as beams between supporting connections, and (B)
302 designed to be drawn by a motor vehicle and attached or secured
303 directly to the motor vehicle by any means including a reach, pole or
304 boom;

305 (64) "Recreational vehicle" includes the camper, camp trailer and
306 motor home classes of vehicles;

307 (65) "Registration" includes the certificate of motor vehicle
308 registration and the number plate or plates used in connection with
309 such registration;

310 (66) "Registration number" means the identifying number or letters,
311 or both, assigned by the commissioner to a motor vehicle;

312 (67) "Resident", for the purpose of registering motor vehicles,
313 includes any person having a legal residence in this state, or any
314 person, firm or corporation owning or leasing a motor vehicle used or
315 operated in intrastate business in this state, or a firm or corporation

316 having its principal office or place of business in this state;

317 (68) "School bus" means any school bus, as defined in section 14-275;

318 (69) "Second" violation or "subsequent" violation means an offense
319 committed not more than three years after the date of an arrest which
320 resulted in a previous conviction for a violation of the same statutory
321 provision, except in the case of a violation of section 14-215 or 14-224
322 or subsection (a) of section 14-227a, "second" violation or "subsequent"
323 violation means an offense committed not more than ten years after
324 the date of an arrest which resulted in a previous conviction for a
325 violation of the same statutory provision;

326 (70) "Semitrailer" means any trailer type vehicle designed and used
327 in conjunction with a motor vehicle so that some part of its own weight
328 and load rests on or is carried by another vehicle;

329 (71) "Serious traffic violation" means a conviction, when operating a
330 commercial motor vehicle, of any violation (A) of section 14-218a or 14-
331 219, if the speed was fifteen miles per hour or more over the posted
332 speed limit, (B) of section 14-222, (C) of section 14-240 or 14-240a, (D)
333 of section 14-236, or (E) arising in connection with an accident related
334 to the operation of a commercial motor vehicle and which resulted in
335 the death of any person;

336 (72) "Service bus" includes any vehicle except a vanpool vehicle or a
337 school bus designed and regularly used to carry ten or more
338 passengers when used in private service for the transportation of
339 persons without charge to the individual;

340 (73) "Service car" means any motor vehicle used by a manufacturer,
341 dealer or repairer for emergency motor vehicle repairs on the
342 highways of this state, for towing or for the transportation of necessary
343 persons, tools and materials to and from the scene of such emergency
344 repairs or towing;

345 (74) "Shoulder" means that portion of a highway immediately

346 adjacent and contiguous to the travel lanes or main traveled portion of
347 the roadway;

348 (75) "Solid tires" means tires of rubber, or other elastic material
349 approved by the Commissioner of Transportation, which do not
350 depend on confined air for the support of the load;

351 (76) "Spot lamp" or "spot light" means a lighting device projecting a
352 high intensity beam, the direction of which can be readily controlled
353 for special or emergency lighting as distinguished from ordinary road
354 illumination;

355 (77) "State" means any state of the United States and the District of
356 Columbia unless the context indicates a more specific reference to the
357 state of Connecticut;

358 (78) "Stop" means complete cessation of movement;

359 (79) "Tail lamp" means a lighting device affixed to the rear of a
360 motor vehicle showing a red light to the rear and indicating the
361 presence of the motor vehicle when viewed from behind;

362 (80) "Tank vehicle" means any commercial motor vehicle designed
363 to transport any liquid or gaseous material within a tank that is either
364 permanently or temporarily attached to the vehicle or its chassis which
365 shall include, but not be limited to, a cargo tank and portable tank, as
366 defined in the Code of Federal Regulations Title 49, Section 383.5, as
367 amended, provided it shall not include a portable tank with a rated
368 capacity not to exceed one thousand gallons;

369 (81) "Tractor" or "truck tractor" means a motor vehicle designed and
370 used for drawing a semitrailer;

371 (82) "Tractor-trailer unit" means a combination of a tractor and a
372 trailer or a combination of a tractor and a semitrailer;

373 (83) "Trailer" means any rubber-tired vehicle without motive power

374 drawn or propelled by a motor vehicle;

375 (84) "Truck" means a motor vehicle designed, used or maintained
376 primarily for the transportation of property;

377 (85) "Ultimate consumer" means, with respect to a motor vehicle, the
378 first person, other than a dealer, who in good faith purchases the
379 motor vehicle for purposes other than resale;

380 (86) "United States" means the fifty states and the District of
381 Columbia;

382 (87) "Used motor vehicle" includes any motor vehicle which has
383 been previously separately registered by an ultimate consumer;

384 (88) "Utility trailer" means a trailer designed and used to transport
385 personal property, materials or equipment, whether or not
386 permanently affixed to the bed of the trailer, with a manufacturer's
387 GVWR of ten thousand pounds or less;

388 (89) "Vanpool vehicle" includes all motor vehicles, the primary
389 purpose of which is the daily transportation, on a prearranged
390 nonprofit basis, of individuals between home and work, and which:
391 (A) If owned by or leased to a person, or to an employee of the person,
392 or to an employee of a local, state or federal government unit or agency
393 located in Connecticut, are manufactured and equipped in such
394 manner as to provide a seating capacity of at least seven but not more
395 than fifteen individuals, or (B) if owned by or leased to a regional ride-
396 sharing organization in the state recognized by the Commissioner of
397 Transportation, are manufactured and equipped in such manner as to
398 provide a seating capacity of at least six but not more than nineteen
399 individuals;

400 (90) "Vehicle" includes any device suitable for the conveyance,
401 drawing or other transportation of persons or property, whether
402 operated on wheels, runners, a cushion of air or by any other means.
403 The term does not include devices propelled or drawn by human

404 power or devices used exclusively on tracks;

405 (91) "Vehicle identification number" or "VIN" means a series of
406 Arabic numbers and Roman letters that is assigned to each new motor
407 vehicle that is manufactured within or imported into the United States,
408 in accordance with the provisions of the Code of Federal Regulations,
409 Title 49, Part 565, unless another sequence of numbers and letters has
410 been assigned to a motor vehicle by the commissioner, in accordance
411 with the provisions of section 14-149;

412 ~~[(91)]~~ (92) "Wrecker" means a vehicle which is registered, designed,
413 equipped and used for the purposes of towing or transporting
414 wrecked or disabled motor vehicles for compensation or for related
415 purposes by a person, firm or corporation licensed in accordance with
416 the provisions of subdivision (D) of part III of this chapter.

417 Sec. 2. Subsection (g) of section 14-66 of the general statutes is
418 repealed and the following is substituted in lieu thereof:

419 (g) For the purposes of this section, "nonconsensual towing or
420 transporting" means the towing or transporting of a motor vehicle in
421 accordance with the provisions of section 14-145 or for which
422 arrangements are made by order of a law enforcement officer or traffic
423 authority, as defined in section 14-297, if the operator of the motor
424 vehicle is not present at the time such arrangements are made, and
425 does not designate the person, firm or corporation performing the
426 towing or wrecker service.

427 Sec. 3. Subsection (c) of section 14-165 of the general statutes is
428 repealed and the following is substituted in lieu thereof:

429 (c) "Identification number" means [the numbers and letters, if any,
430 on a vehicle designated by the commissioner for the purpose of
431 identifying the vehicle] the vehicle identification number of a motor
432 vehicle, as defined in subdivision (91) of subsection (a) of section 14-1,
433 as amended by this act.

434 Sec. 4. Section 14-172 of the general statutes is repealed and the
435 following is substituted in lieu thereof:

436 (a) The commissioner, upon receiving application for a first
437 certificate of title, shall check the identification number of the vehicle
438 shown in the application against the records of vehicles required to be
439 maintained by section 14-173 and against the record of stolen and
440 converted vehicles required to be maintained by section 14-197.

441 (b) The commissioner is authorized to participate in the National
442 Motor Vehicle Title Information System, established in accordance
443 with the provisions of Sections 30501 to 30503, inclusive, Title 49,
444 United States Code, and may rely on the information contained in such
445 system as prima facie evidence of the facts upon which the
446 commissioner shall grant or deny such application for a certificate of
447 title that may be issued, in accordance with the provisions of section
448 14-174, as amended by this act.

449 Sec. 5. Section 14-174 of the general statutes is repealed and the
450 following is substituted in lieu thereof:

451 (a) Each certificate of title issued by the commissioner shall contain:
452 (1) The date issued; (2) the name and address of the owner; (3) the
453 names and addresses of any lienholders, in the order of priority as
454 shown on the application or, if the application is based on a certificate
455 of title, as shown on the certificate; (4) the title number assigned to the
456 vehicle; (5) a description of the vehicle including, so far as the
457 following data exists, its make, model, identification number, type of
458 body, number of cylinders, whether new or used, and, if a new vehicle,
459 the date of the first sale of the vehicle for use; (6) the mileage reading
460 as shown on the application; and (7) any other data the commissioner
461 prescribes.

462 (b) Unless a bond is filed as provided in subdivision (b) of section
463 14-176, as amended by this act, a distinctive certificate of title shall be
464 issued for a vehicle last previously registered in another state or

465 country the laws of which do not require that lienholders be named on
466 a certificate of title to perfect their security interests. The certificate
467 shall contain the legend "This vehicle may be subject to an undisclosed
468 lien" and may contain any other information the commissioner
469 prescribes. If no notice of a security interest in the vehicle is received
470 by the commissioner within four months from the issuance of the
471 distinctive certificate of title, [he] the commissioner shall, upon
472 application and surrender of the distinctive certificate, issue a
473 certificate of title in ordinary form.

474 (c) The certificate of title shall contain forms for assignment and
475 warranty of title by the owner and for assignment and warranty of title
476 by a dealer, and may contain forms for applications for a certificate of
477 title by a transferee, the naming of a lienholder and the assignment or
478 release of the security interest of a lienholder.

479 (d) A certificate of title issued by the commissioner is prima facie
480 evidence of the facts appearing on it. In any criminal proceeding, a
481 certified copy of a certificate of title shall be prima facie evidence as to
482 the ownership of a motor vehicle.

483 (e) A certificate of title for a vehicle is not subject to garnishment,
484 attachment, execution or other judicial process, but this subsection
485 does not prevent a lawful levy upon the vehicle.

486 (f) The commissioner shall place a legend on any new duplicate
487 certificate of title in accordance with the requirements of section 14-
488 172, as amended by this act, section 14-178, as amended by this act, or
489 section 14-16c, 14-179 or 42-179. The commissioner shall place a legend
490 on any new or duplicate certificate of title that the commissioner issues
491 concerning the mileage on a motor vehicle in accordance with the
492 requirements of the Federal Odometer Act, Sections 32701 to 32711,
493 inclusive, Title 49, United States Code, and any federal regulation
494 adopted under the authority of said act. The commissioner may adopt
495 regulations, in accordance with the provisions of chapter 54, to provide
496 for the placement of additional legends on any certificate of title,

497 concerning the past or present condition of any motor vehicle or the
498 status of the title to any motor vehicle, including legends to indicate
499 that a motor vehicle has been rebuilt, damaged by flood, or is
500 unrepairable, or that a bond has been posted to obtain the title, as
501 provided by section 14-176, as amended by this act. Such regulations,
502 as may be adopted by the commissioner, shall provide for an
503 opportunity for a hearing, in accordance with the provisions of chapter
504 54 and section 14-194, as amended by this act, for any person
505 aggrieved by any action, omission or decision of the commissioner
506 made pursuant to this subsection.

507 Sec. 6. Section 14-175 of the general statutes is repealed and the
508 following is substituted in lieu thereof:

509 [The] (a) Except as provided in subsection (b) of this section, the
510 certificate of title shall be presented or mailed to the first lienholder
511 named in it or, if none, to the owner.

512 (b) The commissioner may enter into an agreement with any first
513 lienholder to a motor vehicle to provide for the electronic recording
514 and storage of the evidence of such lienholder's security interest. Any
515 such agreement may provide that (1) the commissioner shall not issue
516 the certificate of title unless requested by the lienholder, and (2) when
517 the security interest is satisfied and released, the commissioner shall
518 present or mail the certificate of title to the owner, unless another
519 security interest has been recorded by the commissioner.

520 Sec. 7. Section 14-176 of the general statutes is repealed and the
521 following is substituted in lieu thereof:

522 If the commissioner is not satisfied as to the ownership of the
523 vehicle or that there are no undisclosed security interests in it, the
524 commissioner may register the vehicle but shall either: (a) Withhold
525 issuance of a certificate of title until the applicant presents documents
526 reasonably sufficient to satisfy the commissioner as to the applicant's
527 ownership of the vehicle and that there are no undisclosed security

528 interests in it; or (b) as a condition of issuing a certificate of title,
 529 require the applicant to file with the commissioner a bond in the form
 530 prescribed by the commissioner and executed by the applicant, and
 531 either accompanied by the deposit of cash with the commissioner or
 532 also executed by a person authorized to conduct a surety business in
 533 this state. The bond shall be in an amount equal to [one and one-half
 534 times] twice the value of the vehicle as determined by the
 535 commissioner and conditioned to indemnify any prior owner and
 536 lienholder and any subsequent purchaser of the vehicle or person
 537 acquiring any security interest in it, and their respective successors in
 538 interest, against any expense, loss or damage, including reasonable
 539 attorney's fees, by reason of the issuance of the certificate of title of the
 540 vehicle or on account of any defect in or undisclosed security interest
 541 upon the right, title and interest of the applicant in and to the vehicle.
 542 Any such interested person has a right of action to recover on the bond
 543 for any breach of its conditions, but the aggregate liability of the surety
 544 to all persons shall not exceed the amount of the bond. The bond, and
 545 any deposit accompanying it, shall be returned at the end of [three]
 546 five years or prior thereto if the vehicle is no longer registered in this
 547 state and the currently valid certificate of title is surrendered to the
 548 commissioner, unless the commissioner has been notified of the
 549 pendency of an action to recover on the bond.

550 Sec. 8. Subsection (a) of section 14-178 of the general statutes is
 551 repealed and the following is substituted in lieu thereof:

552 (a) If a certificate of title is lost, stolen, mutilated or destroyed or
 553 becomes illegible, the first lienholder or, if none, the owner or legal
 554 representative of the owner named in the certificate, as shown by the
 555 records of the commissioner, shall promptly make application for and
 556 may obtain a duplicate upon furnishing information, including
 557 personal identification acceptable and satisfactory to the
 558 commissioner. The duplicate certificate of title shall contain the legend
 559 "This is a duplicate certificate and may be subject to the rights of a
 560 person under the original certificate." [It] Except as provided in

561 subsection (b) of section 14-175, as amended by this act, the
562 commissioner shall [be presented or mailed] present or mail the
563 duplicate certificate to the first lienholder named in [it] the duplicate
564 certificate or, if none, to the owner.

565 Sec. 9. Subsection (a) of section 14-183 of the general statutes is
566 repealed and the following is substituted in lieu thereof:

567 (a) The commissioner, upon receipt of a properly assigned certificate
568 of title, with an application for a new certificate of title, the required fee
569 and any other documents required by law, shall issue a new certificate
570 of title in the name of the transferee as owner and, except as provided
571 in subsection (b) of section 14-175, as amended by this act, present or
572 mail [it] the new certificate of title to the first lienholder named in [it]
573 the new certificate of title or, if none, to the owner.

574 Sec. 10. Subsection (c) of section 14-185 of the general statutes is
575 repealed and the following is substituted in lieu thereof:

576 (c) The rules of priority stated in section 42a-9-312, and the other
577 sections therein referred to, shall, to the extent appropriate, apply to
578 conflicting security interests in a vehicle of a type for which a
579 certificate of title is required. [or in a "previously registered vehicle", as
580 defined in section 14-201.] A security interest perfected under this
581 section [or under section 14-201] is a security interest perfected
582 otherwise than by filing for the purposes of section 42a-9-312.

583 Sec. 11. Subsection (d) of section 14-186 of the general statutes is
584 repealed and the following is substituted in lieu thereof:

585 (d) Upon receipt of the certificate of title, the application and the
586 required fee, the commissioner shall either endorse the certificate or
587 issue a new certificate containing the name and address of the new
588 lienholder, and, except as provided in section (b) of section 14-175, as
589 amended by this act, mail the certificate to the first lienholder named
590 in it.

591 Sec. 12. Subsection (b) of section 14-187 of the general statutes is
592 repealed and the following is substituted in lieu thereof:

593 (b) The assignee may, but need not to perfect the assignment, have
594 the certificate of title endorsed or issued with the assignee named as
595 lienholder, upon delivering to the commissioner the certificate and an
596 assignment by the lienholder [named in the certificate] of record in the
597 form the commissioner prescribes. If the lienholder has entered into an
598 agreement with the commissioner pursuant to subsection (b) of 14-175,
599 as amended by this act, the lienholder may submit evidence of the
600 assignment of the security interest, in such form and manner as the
601 commissioner directs, and may request the commissioner to issue a
602 certificate of title with the assignee or, if the assignee also has entered
603 into an agreement with the commissioner to provide for the electronic
604 filing and recording of its security interest, request the commissioner
605 to make the appropriate modifications to the record of the title.

606 Sec. 13. Section 14-188 of the general statutes is repealed and the
607 following is substituted in lieu thereof:

608 (a) Upon the satisfaction of a security interest in a vehicle for which
609 the certificate of title is in the possession of the lienholder, [he] the
610 lienholder shall, within ten days after demand and, in any event,
611 within thirty days, execute a release of [his] the security interest, in the
612 space provided therefor on the certificate or as the commissioner
613 prescribes, and mail or deliver the certificate and release to the next
614 lienholder named therein, or, if none, to the owner or any person who
615 delivers to the lienholder an authorization from the owner to receive
616 the certificate. The owner, other than a dealer holding the vehicle for
617 resale, shall promptly cause the certificate and release to be mailed or
618 delivered to the commissioner, who shall release the lienholder's rights
619 on the certificate or issue a new certificate.

620 (b) If the lienholder has entered into an agreement with the
621 commissioner in accordance with the provisions of subsection (b) of
622 section 14-175, as amended by this act, such lienholder shall, upon the

623 satisfaction of such lienholder's security interest, notify the
 624 commissioner within ten days of such satisfaction of security interest.
 625 Such notification shall be in such form and manner and shall contain
 626 such information necessary to evidence the release of the lien, and to
 627 identify the motor vehicle and the title record, as the commissioner
 628 prescribes. The commissioner shall issue a certificate of title and
 629 present or mail such certificate to the owner, or to the second
 630 lienholder, if any. The provisions of this subsection shall apply to each
 631 second or subsequent lienholder that has entered into an agreement
 632 with the commissioner in accordance with subsection (b) of section 14-
 633 175, as amended by this act.

634 ~~[(b)]~~ (c) Upon the satisfaction of a security interest in a vehicle for
 635 which the certificate of title is in the possession of a prior lienholder,
 636 the lienholder whose security interest is satisfied shall within ten days
 637 after demand and, in any event, within thirty days execute a release in
 638 the form the commissioner prescribes and deliver the release to the
 639 owner or any person who delivers to the lienholder an authorization
 640 from the owner to receive it. The lienholder in possession of the
 641 certificate of title shall either deliver the certificate to the owner, or the
 642 person authorized by ~~[him]~~ the owner, for delivery to the
 643 commissioner or, upon receipt of the release, mail or deliver it with the
 644 certificate to the commissioner, who shall release the subordinate
 645 lienholder's rights on the certificate or issue a new certificate.

646 ~~[(c)]~~ (d) A lienholder who does not comply with subsection ~~[(b)]~~ (c)
 647 of this section and who has disappeared and cannot be located by the
 648 debtor shall be deemed for purposes of this section only to have
 649 released such security interest, if evidence satisfactory to the
 650 commissioner is filed concerning the disappearance of the lienholder,
 651 and the commissioner shall so note on the records of the department.

652 Sec. 14. Section 14-189 of the general statutes is repealed and the
 653 following is substituted in lieu thereof:

654 A lienholder named in a certificate of title, or whose security interest

655 is recorded in the electronic title file maintained by the commissioner,
656 shall, upon written request of the owner or of another lienholder
657 named on the certificate or having a recorded interest, disclose any
658 pertinent information as to [his] such lienholder's security agreement
659 and the indebtedness secured by it.

660 Sec. 15. Section 14-192 of the general statutes is repealed and the
661 following is substituted in lieu thereof:

662 (a) The commissioner shall be paid the following fees: (1) For filing
663 an application for a certificate of title, [twenty dollars, and on and after
664 July 1, 1993,] twenty-five dollars; (2) for each security interest noted
665 upon a certificate of title, or recorded in the electronic title file
666 maintained by the commissioner, ten dollars; (3) for each record copy
667 search, [five dollars and seventy-five cents, and on and after July 1,
668 1993,] seven dollars; (4) for each assignment of a security interest noted
669 upon a certificate of title, [three dollars, and on and after July 1, 1993]
670 or recorded in the electronic title file, three dollars and fifty cents; (5)
671 for an application for a duplicate certificate of title, twenty-five dollars,
672 provided such fee shall not be required for any such duplicate
673 certificate of title (A) which is requested on a form prepared and
674 signed by the assessor in any town for purposes of such proof of
675 ownership of a motor vehicle as may be required in accordance with
676 section 12-71b, or (B) in connection with an application submitted by a
677 licensed dealer in accordance with the provisions of subsection (c) of
678 section 14-12 or section 14-61; (6) for an ordinary certificate of title
679 issued upon surrender of a distinctive certificate, [three dollars, and on
680 and after July 1, 1993,] three dollars and fifty cents; (7) for filing a
681 notice of security interest, [three dollars, and on and after July 1, 1993,]
682 three dollars and fifty cents; (8) for a certificate of search of the records
683 of the Department of Motor Vehicles, for each name or identification
684 number searched against, [fourteen dollars, and on and after July 1,
685 1993,] seventeen dollars and fifty cents; (9) for filing an assignment of
686 security interest, [three dollars, and on and after July 1, 1993,] three
687 dollars and fifty cents; [and] (10) for search of a motor vehicle

688 certificate of title record, requested by a person other than the owner of
689 such motor vehicle, ten dollars; and (11) for a bond filing under section
690 14-176, as amended by this act, twenty-five dollars.

691 (b) If an application, certificate of title or other document required to
692 be mailed or delivered to the commissioner under any provision of this
693 chapter is not delivered to the commissioner within ten days from the
694 time it is required to be mailed or delivered, the commissioner shall
695 collect, as a penalty, an amount equal to the fee required for the
696 transaction.

697 (c) Motor vehicles leased to an agency of this state [on or after June
698 4, 1982,] and motor vehicles owned by the state or an agency of the
699 state shall be exempt from the fees imposed by this section.

700 Sec. 16. Section 14-194 of the general statutes is repealed and the
701 following is substituted in lieu thereof:

702 A person aggrieved by an act or omission to act of the commissioner
703 under this chapter is entitled, upon request, to a hearing in accordance
704 with [subsection (e) of section 14-111] the provisions of chapter 54.

705 Sec. 17. Sections 14-201 to 14-209, inclusive, of the general statutes,
706 are repealed.

707 Sec. 18. This act shall take effect from its passage.

Statement of Purpose:

To incorporate provisions of recent federal law concerning motor vehicle titles; to authorize the commissioner to enter into agreements with lienholders for a system of electronic lien filing and recording; to enhance protections afforded to purchasers of used motor vehicles by authorizing the commissioner to place certain legends on titles issued and to participate in the National Motor Vehicle Title Information System; and to eliminate obsolete sections of title 14 of the general statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]